



04-21-04

Smarie

(637)

Attorney Docket No. A-67933-1/AMP/JFB

EXPRESS MAIL NO. EV 182100028US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application Of: )  
JAIN et al. )  
 ) Group Art Unit: 1637  
Application Number: 09/532,708 )  
 ) Examiner: T. Strzelecka  
Filed: March 22, 2000 )  
 ) Conf. No.: 8874  
For: HIGH-THROUGHPUT GENE )  
CLONING AND PHENOTYPIC )  
SCREENING )

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is:

- a Information Disclosure Statement
- Form PTO-SB08A/08B
- Copies of each cited references listed on form PTO-SB08A/08B
- English translation of foreign language reference(s)
- Copy of foreign examination report
- English translation of foreign examination report.

1.  This Information Disclosure Statement is filed before the later of:
  - A. three months from the filing date of this national application;
  - B. three months from the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or
  - C. the mailing date of a first Official Action on the merits.

In accordance with 37 CFR 1.97(b), no fee is required.

2. [X] This Information Disclosure Statement is filed after the events noted in paragraph 1, but before either:
- a final action under 37 CFR 1.113, or
  - a Notice of Allowance under 37 CFR 1.311.

In accordance with 37 CFR 1.97(c) also submitted is:

- [X] A fee under 37 CFR 1.17(p) in the amount of \$180.00; or  
[ ] A certification as stated below.

3. [ ] This Information Disclosure Statement is filed before the payment of the issue fee, but after either:
- a Final Action under 37 CFR 1.113, or
  - a Notice of Allowance under 37 CFR 1.311.

In accordance with 37 CFR 1.97(d) also submitted is:

- (1) A certification, as stated below; and
- (2) A fee under 37 CFR 1.17 (p) in the amount of \$180.00.

#### Certification

The undersigned also states:

- [ ] Each item of information contained in the Supplemental Information Disclosure Statement cited herein was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing date of this Information Disclosure Statement; or
- [ ] No item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing date of this Information Disclosure Statement.

The fees indicated above are:

**TOTAL FEES: \$ 180.00**

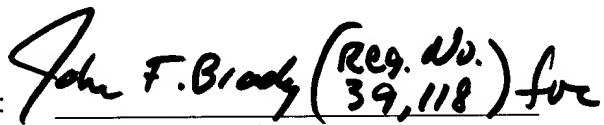
- [X] A check for the amount of TOTAL FEES indicated above is attached.

- The Commissioner is hereby authorized to charge \$\_\_\_\_\_ to cover the payment of the fee(s) indicated below to Deposit Account No. 50-2319.
- A check in the amount of \$180.00 is attached.
- No fee is required.
- Applicant believes that in accordance with 37 CFR 1.97(b), no fee is required, however, the Commissioner is hereby authorized to charge any underpayment of the fees to Deposit Account No. 50-2319 (A-67933-1/AMP/JFB).

Respectfully submitted,

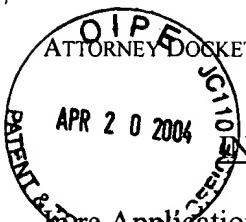
DORSEY & WHITNEY LLP

Dated: 4-19-04

By:   
John F. Brady (Reg. No. 39,118) for  
Ann M. Caviani Pease  
Registration No. 42,067

**Customer Number: 32940**

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Four Embarcadero Center, Suite 3400  
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(650) 494-8700 (telephone)  
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ATTORNEY DOCKET: A-67933-1/AMP/JFB

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INFORMATION DISCLOSURE STATEMENT

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Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, and in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, applicants are submitting herewith copies of the references listed on the attached Form PTO-1449 (modified) for consideration and to be made of record herein by the U.S. Patent and Trademark Office in the above-captioned application.

Additionally, Applicant wishes to inform the Examiner of the existence of the following co-pending U.S. patent application: U.S. Patent Application No. 09/967,323 filed Sept. 29, 2001, in the name of David A. Zarling et al. entitled "High-throughput Gene Cloning and Phenotypic Screening" (attorney docket: A-67933-3).

None of the foregoing references is believed to disclose the invention as claimed. Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

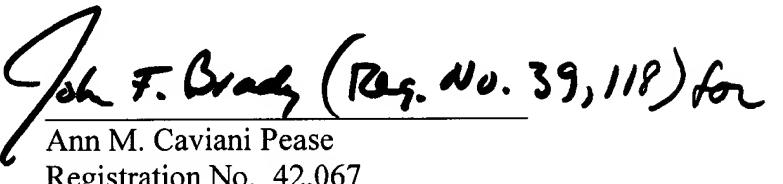
Consideration of the foregoing plus the prompt return of a copy of the enclosed Form PTO-1449 with the Examiner's initials in the left column in accordance with MPEP 609 are respectfully requested.

This Information Disclosure Statement is being submitted after the mailing of a non-final Office Action, but is believed to be prior to a final Office Action or a Notice of Allowance. Pursuant to 37 C.F.R. § 1.97(c)(2), a check in the amount of \$180.00 as set forth in § 1.17(p) is enclosed. In the event any variance exists between the amount enclosed and the Patent Office charges, please charge or credit any difference to Deposit Account No. 50-2319 (Our order no. A-67933-1/AMP/JFB (470193-19)).

Respectfully submitted,

DORSEY & WHITNEY LLP

By:

  
John F. Brady (Reg. No. 39,118) for  
Ann M. Caviani Pease  
Registration No. 42,067

Dated: 4-19-04

**Customer Number: 32940**

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Intellectual Property Department  
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San Francisco, CA 94111-4187  
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**Substitute for form 1449A/PTO**

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

<b>Application Number</b>	09/532,708
<b>Filing Date</b>	March 22, 2000
<b>First Named Inventor</b>	Sarita Kumari JAIN
<b>Art Unit</b>	1637
<b>Examiner Name</b>	T. Strezelecka

Attorney Docket Number A-67933-1/AMP/JFB

## U.S. PATENT DOCUMENTS

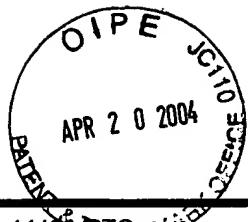
## **FOREIGN PATENT DOCUMENTS**

*Examiner Initial	Cite No.	FOREIGN PATENT DOCUMENT		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	TRANSLATION	
		Country Code:	Number - Kind Code (if known)				YES	NO
	B1	WO	00/056872A	09-28-2000			<input type="checkbox"/>	<input type="checkbox"/>
	B2	EP	0 995 555 A1	04-26-2000			<input type="checkbox"/>	<input type="checkbox"/>
	B3	WO	98/01760	01-15-1998			<input type="checkbox"/>	<input type="checkbox"/>
	B4	WO	96/23078	08-01-1996			<input type="checkbox"/>	<input type="checkbox"/>
							<input type="checkbox"/>	<input type="checkbox"/>
							<input type="checkbox"/>	<input type="checkbox"/>
							<input type="checkbox"/>	<input type="checkbox"/>

**EXAMINER SIGNATURE**

**DATE CONSIDERED**

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



**Substitute for form 1449A/P1Q-2**

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(use as many sheets as necessary)*

<p>Substitute for form 1449A APR 1999</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p><i>(use as many sheets as necessary)</i></p>				<p><b>Application Number</b></p> <p><b>09/532,708</b></p> <p><b>Filing Date</b></p> <p><b>March 22, 2000</b></p> <p><b>First Named Inventor</b></p> <p><b>Sarita Kumari JAIN</b></p> <p><b>Art Unit</b></p> <p><b>1637</b></p> <p><b>Examiner Name</b></p> <p><b>T. Strezelecka</b></p>	
<b>Sheet</b>	<b>2</b>	<b>of</b>	<b>2</b>	<b>Attorney Docket Number</b>	<b>A-67933-1/AMP/JFB</b>

## **OTHER DOCUMENTS - NON-PATENT LITERATURE DOCUMENTS**

**EXAMINER SIGNATURE**

**DATE CONSIDERED**

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